Attorney Docket: AVSI-0033 (108328.00170)



7 9 7 2005 milliontar

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicants:

Patricia Brown et al.,

Serial No.:

10/764,818

Filed:

January 26, 2004

Art Unit:

1635

Examiner:

Richard Schnizer

For:

REDUCING CULLING IN HERD ANIMALS GROWTH HORMONE

RELEASING HORMONE (GHRH)

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING: I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with postage prepaid in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria 22313-1450.

Printed Name of Pascon Signing Certificate

(Date)

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Examiner's communication mailed September 24, 2005, having a deadline for response expiring September 24, 2005, extended by petition enclosed herewith until October 24, 2005, Applicants hereby elect to prosecute **Invention I** without traverse.

I. Claims 1-9, 11-20, 22-28, and 30-76, drawn to methods of decreasing involuntary cull in farm animals, improving body condition score (BCS) in farm animals, or increasing milk production in dairy cows by delivering into muscle of the animal, or into tissue of the cow, an expression construct encoding GHRH; and

The remaining restricted group Invention II will be prosecuted separately under a divisional application.

4078433v.1 1

Attorney Docket: AVSI-0033 (108328.00170)

The election of **Invention I** does not change the inventorship of this application. The Examiner is invited to give the undersigned a telephone call if there are any questions.

Respectfully submitted,

T. Ling Chwang

Reg. No. 33,590

Jackson Walker L.L.P.

2435 North Central Expressway, Suite 600

Richardson, Texas 75080

Tel: (972) 744-2919 Fax: (972) 744-2909

Oct. 24, 2005

Date